

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPH WOLCOTT,

Defendant.

Case No. 2:08-cr-00013  
Chief Judge Haynes

*EMOSH*  
*This motion is*  
*DENIED pursuant*  
*prejudice to denial*  
*upon the effective*  
*date of Amendment*  
*782.*  
*Will [Signature]*  
*12/8/10*  
*8-12-14*

MOTION TO MODIFY SENTENCE  
PURSUANT TO 18 U.S.C. §3582(c)

Comes now Joseph Wolcott, petitioner in the above-styled action, by and through undersigned counsel, and files this Motion to Reduce his sentence by two levels pursuant to 18 U.S.C. §3582(c), due to a retroactive two-point reduction announced by the United States Sentencing Commission Friday, July 18, 2014.

**JURISDICTION**

The district court had jurisdiction over this motion pursuant to 18 U.S.C. §3582(c).

**BACKGROUND**

Joseph Wolcott currently has pending before this Court a petition for writ of habeas corpus, pursuant to 28 U.S.C. §2255, styled as *Joseph Wolcott vs. United States of America*, Case No. 2:13-cv-0062. This petition constitutes a separate ground for relief, based on the recent announcement from the United States Sentencing Commission.

This Court calculated Wolcott's sentencing range under the United States Sentencing Guidelines (U.S.S.G.) as 262-327 months of imprisonment (Offense Level 38, Criminal History II). This range included a 240-month mandatory minimum sentence for the drug charge based